

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.02.2016

Coram

The Hon'ble Mr. Justice T.S. Sivagnanam

Writ Petition No.32529 of 2014

Rajaraman

...Petitioner

Vs.

1. The District Collector,
Cuddalore District, Cuddalore.
2. The Superintendent Engineer,
Tamil Nadu Electricity Board,
TANGEDCO, Cuddalore.
3. The Deputy Director of Agriculture,
Agriculture Department,
Cuddalore.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the second respondent to provide electricity service connection to the petitioner's land, comprised in S.No.31/2B, situate at Kadampuliyur Sub Division, Panruti Taluk, Cuddalore District.

For Petitioner : Mr.V.Karthikeyan

For Respondent-1 : Mr.N.Roofus Abraham
Government Advocate

For Respondent-2 : Mr.M.Varun Kumar
Standing Counsel for TNEB

O R D E R

The prayer sought for in the Writ Petition, is for issuance of Mandamus, directing the second respondent to provide electricity service connection to the petitioner's land, which were uprooted on account of the Thanai Cyclone.

2. Heard the learned counsel appearing for the parties.

2. From the counter affidavit filed by the second respondent/ Superintendent Engineer, it is seen that, one Anbarasan has filed a suit, being O.S.No.148 of 2014, on the

file of the District Munsif Court, Panruti, in which, the petitioner is not a party. It is further seen that the line was in existence in the same position, which is sought to be relaid, and as on date, there is no stay, or injunction, granted by any Court. In such circumstances, the second respondent cannot take any action in the matter, as regards the petitioner's prayer.

4. The reason assigned by the second respondent for not taking action with regard to the petitioner's prayer is unacceptable. The second respondent is bound to consider the scope of the petitioner's prayer, which is genuine and germane. When the case of the second respondent is that there was already an existing line in the same position, it is not known as to what prevents him from considering the petitioner's prayer for providing line.

5. Therefore, the second respondent is directed to consider the petitioner's prayer, and do the needful as expeditiously as possible. Since there is an allegation that Anbarasan/objector is attempting to commit suicide, which has to be prevented, necessary police assistance can also be taken in this regard.

6. With the above observation, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Cuddalore District, Cuddalore.
2. The Superintendent Engineer,
Tamil Nadu Electricity Board,
TANGEDCO, Cuddalore.
3. The Deputy Director of Agriculture,
Agriculture Department,
Cuddalore.

+1 cc to Mr.M.Varunkumar, Advocate, sr.8805

+1 cc to Government Pleader, sr.8499

+1 cc to M/s.V.Karthikeyan, Advocate, sr.8451

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